

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Anthony J. Baerlocher  
Appl. No.: 10/649,091  
Conf. No.: 4932  
Filed: August 27, 2003  
Title: GAMING DEVICE HAVING A MULTIPLE SELECTABLE INDICATOR  
GAME  
Art Unit: 3714  
Examiner: Matthew D. Hoel  
Docket No.: 0112300-1411

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

Please enter this response in the above-identified patent application.

**REMARKS**

This Response is submitted in reply to the Office Action mailed on May 27, 2009. Please charge Deposit Account No. 02-1818 for any amounts due in connection with this response.

In the Office Action, the Examiner issued a restriction requirement under 35 U.S.C. § 121, which required applicant to elect one of the following:

- Group I. Claims 1 to 13, 15, 16, 19 to 35, 37 to 41, 43 to 56, 103, and 125, drawn to an electronic gaming device; and
- Group II. Claims 57 to 59, 61, 64 to 76, 78 to 93, 117, 121, and 126, drawn to a method of operating a gaming device.

Applicant hereby elects Group I, Claims 1 to 13, 15, 16, 19 to 35, 37 to 41, 43 to 56, 103, and 125, without traverse, for examination on the merits.

Accordingly, Applicant respectfully submits that elected Claims 1 to 13, 15, 16, 19 to 35, 37 to 41, 43 to 56, 103, and 125 are pending for prosecution on the merits

Favorable consideration is respectfully requested.

Respectfully submitted,

K&L GATES, LLP

BY 

Adam H. Masia  
Reg. No. 35,602  
Customer No. 29159

Date: June 9, 2009